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Via ECF

The Honorable J. Paul Oetken
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Jackson v. American Civil Liberties Union, et al.*
Case No. 1:21-cv-05037-JPO

Dear Judge Oetken:

As counsel to Defendants, we write in response to Your Honor's October 24, 2024 Order for Defendants to file a letter directing the Court to a source for the following quotations referenced in Defendants' memorandum of law supporting summary judgment: "had a tendency to shut [him] down, particularly around issues of race" (Mem. at 25); 'discuss race and other matters as freely as they would like' (*id.*); and 'juxtaposing [his] experience'" (*id.* at 26). (*See* docket entry no. 108).

As mentioned during the parties' October 25, 2024 telephonic conference, these quotes can be found in part 2 of Plaintiff's deposition transcript, attached under seal as Exhibit A, which Defendants inadvertently omitted from their motion for summary judgment. Please note that pagination for part 2 of Plaintiff's deposition does not continue from part 1 of Plaintiff's deposition.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Tamanna Rubya
Tamanna Rubya

Attachments

cc: All Counsel of Record (via ECF)